

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 87 - 079  
NPDES NO. CA0006165

AN ORDER AMENDING ORDER NO. 85-44,  
AND ORDER NO. 86-24,  
WASTE DISCHARGE REQUIREMENTS FOR:

STAUFFER CHEMICAL COMPANY  
MARTINEZ PLANT  
MARTINEZ, CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

1. On April 30, 1985, the Regional Board adopted Order No. 85-44 (NPDES No. CA0006165) prescribing waste discharge requirements for Stauffer Chemical Company, Martinez plant (hereinafter referred to as the discharger).
2. On April 16, 1986, the Regional Board adopted Order No. 86-24 amending waste discharge requirements for Stauffer Chemical Company, Martinez plant.
3. The discharger manufactures sulfuric acid. The acid is produced by regenerating spent refinery sludge acids, and by burning sulfur. Waste water flow is dependent on production rate, water content of the acid sludge, and runoff.
4. Waste 001 consists of waste water from sulfuric acid production, including process waste, blowdown from cooling towers, caustic scrubbers and other ancillary equipment, plant washdown, pretreated leachate from cinder and slag deposits on the plant site, and seasonal runoff from the plant site. The leachate is pretreated by precipitation, flocculation, settling and neutralization, before being combined with the untreated process and other plant wastes and storm water runoff. The combined waste is treated by precipitation, flocculation, settling and neutralization and is discharged into Peyton Slough at a point near the foot of Mococo Road. Peyton Slough is tributary to Carquinez Strait, a navigable water of the United States. The discharge is not continuous. The current average monthly dry-weather flow rate excluding leachate is approximately 0.063 million gallons per day.
5. Order No. 85-44, provides, in part as follows:  
"Prohibition A. 1.

Discharge of waste 001 which contains constituents of concern, and is discharged at a location that does not receive a minimum of 10:1 dilution, is prohibited."

and,

"Provision E. 2.

The discharger shall comply with Discharge prohibition A. 1. by July 1, 1987. The discharger shall submit by July 15, 1985 a proposal with time schedule for achieving compliance. Compliance may be achieved by demonstrating to the satisfaction of the Board that an exception to the Basin Plan Prohibition should be granted. The discharge shall submit to the Board by July 1, 1986 the proposed demonstration of Prohibition exception, or a demonstration that resources have been committed towards compliance, such as a Draft Environmental Impact Report. The discharger shall submit by July 15th and January 15th annually, reports demonstrating progress towards compliance."

6. Order No. 86-24 amended Provision E. 2. to extend until December 1, 1986, the deadline for submittal of the proposed demonstration of Prohibition exception or demonstration that resources have been committed towards compliance.
7. The discharger submitted a proposed demonstration of Prohibition exception dated December 1, 1986, titled "Equivalent Protection Study for Stauffer Chemical Company, Martinez Sulfuric Acid Plant". The discharger is requesting an exception on the basis that the discharge of treated waste water to Peyton Slough causes no detectable effect in the Slough.
8. An Environmental Impact Report has not been prepared for an outfall. State Lands Commission, as lead agency, declined to begin the CEQA process until the Board grants or denies the exception request.
8. Under the Toxic Pits Cleanup Act, the discharger must stop discharging to, and close their cinder and slag leachate evaporation ponds. On April 28, 1987, the discharger submitted an application for revision of their waste discharge requirements. The discharger is proposing to treat and discharge all of the leachate through their waste water treatment system. Currently, some of the leachate is evaporated in the evaporation ponds. The application shows that the proposed discharge will result in a significant change in the discharge. The average flow rate will double, and mass loadings of pollutants will more than double. The application for revised waste discharge requirements is incomplete.
9. Once the application is complete, it will have to be reviewed to determine the effect of the proposed changes on receiving water quality. The report, "Equivalent Protection Study for Stauffer Chemical Company, Martinez Sulfuric Acid Plant", which is the basis for the exception request, does not address the proposed change in the discharge. The exception request may have to be modified to consider the effects of the increase in mass loadings of pollutants.
10. The discharger is currently applying to the U.S. Environmental Protection Agency, and the state Department of Health Services for a permit to dispose of hazardous waste in the discharger's incinerator. It is expected that within a year the discharger will need to amend its application for waste discharge requirements to allow for any proposed changes in the characteristics of the waste stream.

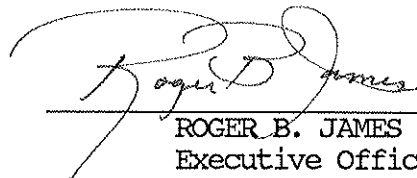
11. The Board adopted a revised Water Quality Plan for the San Francisco Bay Basin on December 17, 1986, and this order implements the water quality objectives stated in that plan.
12. This Order amends an NPDES permit, adoption of which is exempt from the provisions of Chapter 3 (commencing with Section 21110 of Division 13) of the Public Resources Code (CEQA) pursuant to Section 13389 of the California Water Code.
13. The Board has notified the discharger and interested agencies and persons of its intent to amend waste discharge requirements for the discharge, and has provided them with an opportunity to submit their written views and recommendations.
14. The Board in a public meeting heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that the Board's Orders No. 85-44 and 86-24 are amended as follows:

- A. Provision E.2. is revised to read as follows:

The discharger shall comply with Discharge Prohibition A.1. by January 22, 1988.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 15, 1987.

  
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ROGER B. JAMES  
Executive Officer